UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

EXAMINER
CHERRY, STEPHEN J

ART UNIT	PAPER NUMBER
2863	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/660,004	PAVEL ET AL.
	Examiner	Art Unit	
	Stephen J. Cherry	2863	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>22 February 2005 and 04 March 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-25</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>3-4-2005</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16 and 18-25 are rejected under 35 U.S.C. 102(b) as being anticipated

by U.S. Patent 6,035,203 to Hanson.

Claim 1 recites, as disclosed by Hanson:

> 1. A method of obtaining a terminal location comprising: defining at least
>
> one connection of the terminal ('203, col. 2, line 54); monitoring the
>
> terminal for establishment of a defined connection, the defined connection
>
> being established by the terminal ('203, fig. 1, 3 monitored by 1-2, terminal
>
> 3, a cellular phone, being capable incoming and outgoing calls);
>
> monitoring the terminal for termination of the defined connection after the
>
> defined connection is established such that termination of the defined
>
> connection triggers obtaining a location of the terminal ('203, col. 2, line
>
> 10).

Claim 2 recites, as disclosed by Hanson:

2. A method according to Claim 1, wherein defining at least one

connection comprises defining at least one communication connection

between the terminal and a predefined entity ('203, fig. 1, 3 connected to

1-2).

Claim 3 recites, as disclosed by Hanson:

3. A method according to Claim 1, wherein defining at least one

connection comprises defining at least one logical connection each of

which includes a context specifying termination of the respective logical

connection, and wherein monitoring the terminal for termination of a

defined connection comprises monitoring the terminal for the context

specifying termination of the respective logical connection ('203, col. 1,

line 55 – col. 2, line 35, termination or communication in a cell [context]

causes recording or which cell [context] the terminal was active in).

Claim 4 recites, as disclosed by Hanson:

4. A method according to Claim 3, wherein the context specifying

termination of the respective logical connection can be determined based

upon information indicative of the context, and wherein monitoring the

terminal for termination of the defined connection comprises monitoring for

the information indicative of the context ('203, col. 1, line 55 – col. 2, line

35, active cell [indicative of context context] at time of termination is

recorded).

Claim 5 recites, as disclosed by Hanson:

5. A method according to Claim 1 further comprising: transforming the location of the terminal to thereby define the terminal in a predetermined manner, and thereafter presenting the location of the terminal in the predetermined manner ('203, fig. 3, and col. 3, line 53).

Claim 6 recites, as disclosed by Hanson:

6. A method according to Claim 1, wherein monitoring the terminal for establishment of a defined connection comprises monitoring the terminal for

establishment of a defined connection such that establishment of the defined connection triggers obtaining a location of the terminal ('203, col. 3, line 53).

Claim 7 recites, as disclosed by Hanson:

7. A system comprising: a terminal capable of establishing, and thereafter terminating, at least one defined connection, wherein the terminal is capable of being triggered to obtain a location of the terminal upon termination of a defined connection ('203, 3); and a location provider capable of determining the location of the terminal upon termination of the defined connection, and thereafter providing the location to the terminal ('203,1-2).

Claim 8 recites, as disclosed by Hanson:

8. A system according to Claim 7, wherein the terminal is capable of establishing, and thereafter terminating, at least one defined

communication connection between the terminal and a predefined entity

('203, fig. 1, 3 connected to 1-2).

Claim 9 recites, as disclosed by Hanson:

> 9. A system according to Claim 7, wherein the terminal is capable of
>
> establishing, and thereafter terminating, at least one defined logical
>
> connection each of which includes a context specifying termination of the
>
> respective logical connection, and wherein the terminal is capable of
>
> monitoring the terminal for termination of the defined connection by
>
> monitoring the terminal for the context specifying termination of the
>
> respective logical connection ('203, col. 1, line 55 – col. 2, line 35,
>
> termination or communication in a cell [context] causes recording or which
>
> cell [context] the terminal was active in).

Claim 10 recites, as disclosed by Hanson:

> 10. A system according to Claim 9, wherein the terminal can determine
>
> the context specifying termination of the respective logical connection
>
> based upon information indicative of the context, and wherein the terminal
>
> is capable of monitoring the terminal for termination of the defined
>
> connection by monitoring for the information indicative of the context ('203,
>
> col. 1, line 55 – col. 2, line 35, active cell [indicative of context context] at
>
> time of termination is recorded).

Claim 11 recites, as disclosed by Hanson:

11. A system according to Claim 8 further comprising: a mapping
processor capable of communicating with the location provider to
transform the location of the terminal to thereby define the terminal in a
predetermined manner such that the location of the terminal can be
presented in the predetermined manner ('203, fig. 3, and col. 3, line 53).

Claim 12 recites, as disclosed by Hanson:

12. A system according to Claim 7, wherein the terminal is capable of
being triggered to obtain a location of the terminal upon establishment of a
defined connection ('203, col. 3, line 53).

Claim 13 recites, as disclosed by Hanson:

13. A terminal comprising: a controller capable of establishing, and
thereafter terminating, at least one defined connection, wherein the
controller is capable of monitoring the terminal for establishment of a
defined connection, and for subsequent termination of the defined
connection, and wherein the controller is capable of being triggered to
obtain a location of the terminal upon termination of the defined
connection (203, 1-3).

Claim 14 recites, as disclosed by Hanson:

14. A terminal according to Claim 13, wherein the controller is capable of
establishing, and thereafter terminating, at least one defined
communication connection between the terminal and a predefined entity
('203, fig. 1, 3 connected to 1-2).

Claim 15 recites, as disclosed by Hanson:

> 15. A terminal according to Claim 13, wherein the controller is capable of
> establishing, and thereafter terminating, at least one defined logical
> connection each of which includes a context specifying termination of the
> respective logical connection, and wherein the controller is capable of
> monitoring the terminal for termination of the defined connection by
> monitoring the terminal for the context specifying termination of the
> respective logical connection ('203, col. 1, line 55 – col. 2, line 35,
> termination or communication in a cell [context] causes recording or which
> cell [context] the terminal was active in).

Claim 16 recites, as disclosed by Hanson:

> 16. A terminal according to Claim 15, wherein the controller can determine
> the context specifying termination of the respective logical connection
> based upon information indicative of the context, and wherein the
> controller is capable of monitoring the terminal for termination of the
> defined connection by monitoring for the information indicative of the
> context ('203, col. 1, line 55 – col. 2, line 35, active cell [indicative of
> context context] at time of termination is recorded).

Claim 18 recites, as disclosed by Hanson:

> 18. A terminal according to Claim 13, wherein the controller is capable of
> being triggered to obtain a location of the terminal upon establishment of
> the defined connection ('203, col. 3, line 53).

Claim 19 recites, as disclosed by Hanson:

19. A computer program product for obtaining a terminal location, the

computer program product comprising a computer-readable storage

medium having computer-readable program code portions stored therein,

the computer-readable program code portions comprising: a first

executable portion for receiving at least one defined connection of the

terminal ('203, col. 2, line 54); a second executable portion for monitoring

the terminal for establishment of a defined connection the defined

connection being established by the terminal ('203, fig. 1, 3 monitored by

1-2, terminal 3, a cellular phone, being capable incoming and outgoing

calls); a third executable portion for monitoring the terminal for termination

of the defined connection after the defined connection is established such

that termination of the defined connection triggers obtaining a location of

the terminal ('203, col. 2, line 10).

Claim 20 recites, as disclosed by Hanson:

20. A computer program product according to Claim 19, wherein the first

executable portion is adapted to receive at least one defined

communication connection between the terminal and a predefined entity

('203, fig. 1, 3 connected to 1-2).

Claim 21 recites, as disclosed by Hanson:

21. A computer program product according to Claim 19, wherein the first

executable portion is adapted to receive at least one defined logical

connection each of which includes a context specifying termination of the
respective logical connection, and wherein the third executable portion is
adapted to monitor the terminal for the context specifying termination of
the respective logical connection ('203, col. 1, line 55 – col. 2, line 35,
termination or communication in a cell [context] causes recording or which
cell [context] the terminal was active in).

Claim 22 recites, as disclosed by Hanson:

22. A computer program product according to Claim 21, wherein the
context specifying termination of the respective logical connection can be
determined based upon information indicative of the context, and wherein
the third executable portion is adapted to monitor for the information
indicative of the context ('203, col. 1, line 55 – col. 2, line 35, active cell
[indicative of context context] at time of termination is recorded).

Claim 23 recites, as disclosed by Hanson:

23. A computer program product according to Claim 19 further comprising:
a fourth
executable portion for transforming the location of the terminal to thereby
define the terminal in a predetermined manner such that the location of
the terminal can thereafter be presented in the predetermined manner
('203, fig. 3, and col. 3, line 53).

Claim 24 recites, as disclosed by Hanson:

24. A computer program product according to Claim 19, wherein the

second executable portion is adapted to monitor the terminal for

establishment of a defined connection such that establishment of the

defined connection triggers obtaining a location of the terminal ('203, col.

3, line 53).

Claim 25 recites, as disclosed by Hanson:

25. A method according to Claim 1, wherein the defining and monitoring

steps include defining at least one short-range connection of the terminal,

and monitoring the terminal for embellishment and termination of the

short-rage connection (203, fig. 1 depicts short range connection of ref. 3

monitored by ref. 2 and 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent 6,035,203 to Hanson in view of Paten Application Publication US 2003/0060215

to Graham.

The claim recites, as disclosed by Hanson.

> a controller capable of establishing, and thereafter terminating, at least
>
> one defined connection, wherein the controller is capable of monitoring the
>
> terminal for establishment of a defined connection, and for subsequent
>
> termination of the defined connection, and wherein the controller is
>
> capable of being triggered to obtain a location of the terminal upon
>
> termination of the defined connection and wherein the controller is capable
>
> of receiving the location of the terminal transformed to thereby define the
>
> terminal in a predetermined manner, (203, 1-3).

Hanson does not disclose a display.

The claim further recites, as disclosed by Graham:

> a display capable of presenting the location of the terminal in the
>
> predetermined manner ('215, fig, 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to use the display of Graham with the invention of Hanson to allow

the user of a wireless phone to know the position of other users ('215, par. 5)

Response to Arguments

Applicant's arguments filed 2-22-2--5 have been fully considered but they are not

persuasive.

Applicant states that Hanson soes not teach monitoring a terminal for a

connection established by the terminal; however the Hanson reference depicts an

embodiment of a "terminal" as a handheld cellular phone, which is a device capable of accepting incoming calls, or establishing communication through outgoing calls.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Cherry whose telephone number is (571) 272-2272. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

SJC

MICHAEL NGHIEM
PRIMARY EXAMINER

5/1/05